

CIVIL RIGHTS COMPLAINT
42 U.S.C. § 1983

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ORIGINAL

U.S. DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK

2013 FEB 11 AM 10:38

FILED
CLERK

-----X
Brandon McFadden

Full name of plaintiff/prisoner ID#

Plaintiff,

AMEND COMPLAINT
12-CV-5624
(RRM)(VVP)
JURY TRIAL DEMAND
YES X NO _____

-against-
The City of NYC, Central
Booking Correction Officers,
Sgt, ect.

Enter full names of defendants
[Make sure those listed above are
identical to those listed in Part III.]

Defendants.
-----X

I. Previous Lawsuits:

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes (X) No ()
- B. If your answer to A is yes, describe each lawsuit in the space below (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: Brandon McFadden

Defendants: NEW YORK STATE DIVISION
OF PAROLE/DEPARTMENT OF
CORRECTION, NASSAU CC, RIKER'S ISLAND

2. Court (if federal court, name the district;
if state court, name the county)

EASTERN DISTRICT

3. Docket Number: 12-CV-6075

4. Name of the Judge to whom case was assigned: ROSLYNN R. MAUSKO

5. Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?)

STILL PENDING

6. Approximate date of filing lawsuit: 11/09/2012

7. Approximate date of disposition: N/a

II. Place of Present Confinement: 18-18 Hazen St. East Elmhurst N.Y. 11370

A. Is there a prisoner grievance procedure in this institution? Yes (☒) No ()

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes (☒) No ()

C. If your answer is YES,

1. What steps did you take? File a grievance

2. What was the result? Was never call

D. If your answer is NO, explain why not

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes () No ()

F. If your answer is YES,

1. What steps did you take?

2. What was the result?

III. Parties:

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff Brandon McFadden

Address AMKC 18-18 Hazen St.East Elmhurst NY 11370

(In item B below, place the full name and address of each defendant)

B. List all defendants' names and the addresses at which each defendant may be served. Plaintiff must provide the address for each defendant named.

Defendant No. 1 City of New York

Defendant No. 2 Central Bookings

125-01 Queens Boulevard New York

Kew Gardens 11415

Defendant No. 3 Ms. Srgt. Jane Doe

Defendant No. 4 Officer John Doe (1)

Defendant No. 5 Officer John Doe (2)

[Make sure that the defendants listed above are identical to those listed in the caption on page 1].

Defendant NO.6

Officer John Doe (3)

IV. Statement of Claim:

At around 11:40PM on August 8, 2012 at Central Bookings Queens. I was being process for my criminal charges when Officer John Doe (1) accused me of having a lighter, light a cigarette in the bull pen.

I was taken out of pen and fully search, nothing was found no lighter or cigarettes I was then took in the front through the metal mac then hand cuff behind my back and refused to let me use the rest room.

I was then taken to the Hospital East Elmhurst without my consent and shot with a drug that gave me a bad reaction, I could be allergic to

IV.A

I explain to the medical staff at Nassau Correctional Center and at AMKC at Riker's Island

EXHIBIT

- (1). Officer John Doe (1) Falsy accused me of controband that I did not poscess. My witness to the incident were inside pen when I was ask to be removed.
- (2). After I was brought back to the front of the bookings I was assaulted by Officer John Doe (2) and (3) all because I ask to use the bathroom and they Srgt allow them to continue to disrespect me denying me the restroom. My witness to this abuse was just brought into bookigs in the pen across where they had me cuffed to after I was already process.
- (3). I was taken to hospital without my consent I have paper work that was given to me after I beg the doctor not to shoot me with it haldoe that has given me a bad reaction

V. Relief:

State what relief you are seeking if you prevail on your complaint.

I want to be compensated for the pain in suffering that I
went through and still going through everyday. I also want
the Officer whom assault me prosecuted to the fullest,
I'm sueing for 2 million dollars.

I declare under penalty of perjury that on 2/6/2013, I delivered this
(Date)
complaint to prison authorities to be mailed to the United States District Court for the Eastern
District of New York.

Signed this 6 day of FEBUARY, 2013. I declare under penalty of
perjury that the foregoing is true and correct.



Signature of Plaintiff

AMCK 18-18 Hazen Street

Name of Prison Facility

East Elmhurst, New York 11370

Address

895-12-01375

Prisoner ID#

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Brandon McFadden

Plaintiff

-vs-

The City of NYC, Central
Bookings, Correction Officers,
Sgt,ect.

REQUEST TO PROCEED
IN FORMA PAUPERIS

Defendant(s)

I, Brandon McFadden, am the plaintiff in the above entitled case. I hereby request to proceed without being required to prepay fees or costs or give security therefore. I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefore, and I believe I am entitled to redress.

1. If you are presently employed:

- a) give the name and address of your employer
- b) state the amount of your earnings per month

NONE

2. If you are **NOT PRESENTLY EMPLOYED**:

- a) state the date of start and termination of your last employment
- b) state your earnings per month.

YOU MUST ANSWER THIS QUESTION EVEN IF YOU ARE INCARCERATED.

NONE

3. Have you received, within the past twelve months, any money from any source? If so, name the source and the amount of money you received.

- a) Are you receiving any public benefits? ☒ No ☐ Yes, \$ _____
- b) Do you receive any income from any other source? ☒ No ☐ Yes, \$ _____

4. Do you have any money, including any money in a checking or savings account? If so, how much?

NONE

5. Do you own any apartment, house or building, stocks, bonds, notes, automobiles or other property? If the answer is yes, describe the property and state its approximate value.

☒ No ☐ Yes, NO

6. List the person(s) that you pay money to support and the amount you pay each month.

Brandon Jr. McFadden 38 Dollars per month

7. Do you pay for rent or for a mortgage? If so, how much each month?

400\$

8. State any special financial circumstances which the Court should consider.

I understand that the Court shall dismiss this case if I give a false answer to any question in this declaration. In addition, if I give a false answer I will be subject to the penalties for perjury.

I declare under the penalty of perjury that the foregoing is true and correct.

Dated: 2/6/2013

Brandon McFadden
(signature)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

PRISONER AUTHORIZATION

The Prison Litigation Reform Act ("PLRA" or "Act") requires you to pay the full filing fee when bringing a civil action if you are currently incarcerated or detained in any facility. If you do not have sufficient funds in your prison account at the time your action is filed, the Court must assess and collect payments until the entire filing fee of \$350 has been paid, no matter what the outcome of the action.

* * *

SIGN AND DATE THE FOLLOWING AUTHORIZATION:

I, Brandon McFadden, request and authorize the facility institution holding me in custody to send to the Clerk of the United States District Court for the Eastern District of New York, a certified copy of my prison account statement for the past six months. I further request and authorize the facility holding me in custody to calculate the amounts specified by 28 U.S.C. § 1915(b), to deduct those amounts from my prison trust fund account (or institutional equivalent), and to disburse those amounts to the United States District Court for the Eastern District of New York. This authorization shall apply to any facility into whose custody I may be transferred.

I UNDERSTAND THAT BY SIGNING AND RETURNING THIS NOTICE TO THE COURT, THE ENTIRE COURT FILING FEE OF \$350 WILL BE PAID IN INSTALLMENTS BY AUTOMATIC DEDUCTIONS FROM MY PRISON TRUST FUND ACCOUNT EVEN IF MY CASE IS DISMISSED.

Brandon McFadden

Signature of Plaintiff

2/6/2013

Date Signed

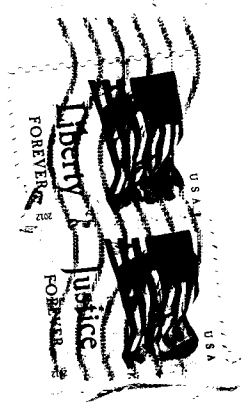
N.Y.S.I.D. # 05031808L

Local Prison I.D. # 895-12-01375

Federal Bureau of Prisons I.D. # _____

rev. 4/06

BRANDON M. BRADON # 8981201878
18-18 HAZEN ST.
EAST ELMHURST, N.Y. 11378
09 FEB 2013 PM 10 L
NEW YORK NY 100



ROSLYN R. MAUSKOPF
EASTERN DISTRICT OF NEW YORK
225 CADMAN PLAZA EAST
BROOKLYN, N.Y. 11201

LEGAL MAIL
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